

Dkt No. PK4835US

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****OFFICIAL**

In re application of: Melissa E. Scott et al.

Serial No.: 09/828,072

Group Art Unit: 1634

Filed: April 6, 2001

Examiner: Fredman, Jeffrey N.

For: *High-Throughput Screening  
Assays by Encapsulation*Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Sir:

This paper is submitted in response to the Office Action mailed August 20, 2003 (Paper No. 10) for which a 1-month shortened statutory period to respond was set. Accordingly, a Petition and Fee for a two-month Extension of Time is submitted herewith, extending the period of time for response to November 20, 2003. The Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392. Early examination of the application on the merits is earnestly solicited.

**REMARKS**

Claims 1-52 are pending in this application. The Examiner has required an election of a single disclosed species for prosecution on the merits to which the claims will be restricted if no generic claim is finally held to be allowable. In response to such request for species election Applicants wish to proceed as follows.

Applicants elect without traverse Species I of the target, "biological cell," and elect the species of intelligence substance Species A, "change in size of capsule" reading on claims 1, 2, 12, 13, 16, 17, 19-22, and 28-52.